

**Maine Revised Statutes**  
**Title 12: CONSERVATION**  
**Chapter 428: DEPARTMENT OF AGRICULTURE,**  
**CONSERVATION AND FORESTRY**

**§5013. DEPARTMENT ORGANIZATION**

The Department of Agriculture, Conservation and Forestry shall be composed of the Maine Land Use Planning Commission and the following divisions: [1973, c. 460, §16 (NEW); 2011, c. 657, Pt. W, §§5, 7 (REV); 2011, c. 682, §38 (REV).]

**1. Maine Land Use Planning Commission.** The Maine Land Use Planning Commission as established by Title 5, chapter 379 shall be under the direction and supervision of a director who shall be qualified by experience in planning and administration consistent with section 681. The director shall be appointed by the commissioner, with the consent of a majority of the commission, for a term coterminous with the commissioner, subject to removal for cause by the commissioner with the approval of the Governor;

[ 1983, c. 812, §80 (AMD); 2011, c. 682, §38 (REV) .]

**2. Division of Forestry.** The Division of Forestry, which shall be under the direction and supervision of a director, who shall be qualified by training, experience and skill in forestry. The director shall be appointed by, and serve at the pleasure of, the commissioner;

[ 1977, c. 674, §14 (RPR); 2011, c. 657, Pt. W, §7 (REV) .]

**3. Division of Parks and Public Lands.** The Division of Parks and Public Lands, which is under the direction and supervision of a director, with the assistance of a deputy director. The director and deputy director are appointed by, and serve at the pleasure of, the commissioner; and

[ 1995, c. 502, Pt. E, §26 (RPR); 2011, c. 657, Pt. W, §7 (REV) .]

**4. Bureau of Public Lands.**

[ 1995, c. 502, Pt. E, §27 (RP) .]

**5. Division of Geology, Natural Areas and Coastal Resources.** The Division of Geology, Natural Areas and Coastal Resources is under the direction and supervision of a director who is appointed by, and serves at the pleasure of, the commissioner.

[ 2013, c. 405, Pt. C, §11 (AMD) .]

Every person appointed as a division director or a director of planning and program services, or in another supervisory capacity in the department, must have experience and skill in the field of the functions of such position. So far as is practicable in the judgment of the commissioner, appointments to such positions must be made by promoting employees of the State serving in positions that are classified and in every instance when a person is promoted from a classified position upon termination of that person's service in such classified supervisory position, the employee, if the employee so requests, must be restored to the classified position from which the employee was promoted or to a position equivalent thereto in salary grade in the same state agency, without impairment of the employee's personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the classified position would have entitled the employee, provided that if the employee's service in such unclassified supervisory position has been

terminated for cause, the employee's right to be so restored must be determined by the State Civil Service Appeals Board. [2009, c. 213, Pt. L, §4 (AMD); 2011, c. 657, Pt. W, §7 (REV).]

#### SECTION HISTORY

1973, c. 460, §16 (NEW). 1973, c. 788, §53 (AMD). 1975, c. 521, §2 (AMD). 1977, c. 360, §§20-22 (AMD). 1977, c. 674, §§14,15 (AMD). 1983, c. 812, §80 (AMD). 1985, c. 785, §B64 (AMD). 1995, c. 502, §§E26,27,32 (AMD). 1997, c. 24, §QQ3 (AMD). 1999, c. 556, §21 (AMD). 2009, c. 213, Pt. L, §4 (AMD). 2011, c. 655, Pt. KK, §14 (AMD). 2011, c. 655, Pt. KK, §34 (AFF). 2011, c. 657, Pt. W, §§5, 7 (REV). 2011, c. 682, §38 (REV). 2013, c. 405, Pt. C, §11 (AMD).

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